



7-17-08

1FW RCE \$

**REQUEST FOR CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Address to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

Application No. 09/843,789  
Filing Date April 26, 2001  
First Named Inventor J. J. Garcia-Luna-Aceves  
Art Unit 2153  
Examiner Name Strange, Aaron N.  
Attorney Docket No. 5543P002

**This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See instruction sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. § 1.114** – Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☐ Previously submitted If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months. Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_
3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by C.F.R. § 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-2666
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Processing fee under 37 CFR § 1.17(i) for Limited Suspension of Action
- iv. ☐ Other \_\_\_\_\_
- b. ☐ The amount of \$ \$810.00 charged to Deposit Account No. 02-2666.
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)
- WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type) Lester J. Vincent Registration No. (Attorney/Agent) 31,460  
Signature [Signature] Date July 15, 2008

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

Name (Print/Type) Alma Goldchain  
Signature [Signature] Date July 15, 2008

Express Mail No. (only if applicable): EV 953691435 US

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07/17/2008 CCHAU1

810.00 DA

01 FC:1801

**FEE TRANSMITTAL FOR FY 2008**

(Effective on 9/30/2007. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**TOTAL AMOUNT OF PAYMENT (\$)** 810.00**Complete if Known:**

Application No. 09/843,789  
Filing Date April 26, 2001  
First Named Inventor J.J. Garcia-Luna-Aceves  
Examiner Name Strange, Aaron N.  
Art Unit 2153  
Attorney Docket No. 5543P002

           Applicant claims small entity status. See 37 CFR 1.27.**METHOD OF PAYMENT** (check all that apply)           Check            Credit Card            Money Order            None            Other (please identify)  X   Deposit AccountDeposit Account Number : 02-2666Deposit Account Name:                                   X   The Director is Authorized to do the following with respect to the above-identified Deposit Account:  X   Charge fee(s) indicated below.  X   Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.           Charge fee(s) indicated below except for the filing fee  X   Credit any overpayments.  X   Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

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**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Large Entity		Small Entity		Fee Description		Fees Paid (\$)
Code	Fee (\$)	Code	Fee (\$)			
1011	310	2011	155	Utility application filing fee	} 1,030/515	_____
1111	510	2111	255	Utility search fee		_____
1311	210	2311	105	Utility examination fee		_____
1012	210	2012	105	Design application filing fee	} 440/220	_____
1112	100	2112	50	Design search fee		_____
1312	130	2312	65	Design examination fee		_____
1013	210	2013	105	Plant filing fee	} 680/340	_____
1113	310	2113	155	Plant search fee		_____
1313	160	2313	80	Plant examination fee		_____
1004	810	2004	405	Reissue filing fee	} 1,940/970	_____
1114	510	2114	255	Reissue search fee		_____
1314	620	2314	310	Reissue examination fee		_____
1005	210	2005	105	Provisional application filing fee		_____
SUBTOTAL (1)						<u>\$0.00</u>

**2. EXCESS CLAIM FEES****Fee Description****Large Entity**      **Small Entity**

Fee	Fee	Fee	Fee	Fee Description
Code	(\$)	Code	(\$)	
1202	50	2202	25	Each claim over 20
1201	210	2201	105	Each independent claim over 3
1203	370	2203	185	Multiple dependent claims, if not paid
1204	210	2204	105	Reissue: each claim over 20 and more than in the original patent
1205	50	2205	25	Reissue: each independent claim more than in the original patent

	<u>Extra Claims</u>	<u>Fee</u>	<u>Fees Paid (\$)</u>
Total Claims <u>33</u> - 36 or HP = <u>0</u>		X \$ 50.00 =	\$0.00
HP = highest number of total claims paid for, if greater than 20			
Independent Claims <u>1</u> - 3 or HP = <u>0</u>		X \$210.00 =	\$0.00
HP = highest number of independent claims paid for, if greater than 3			
Multiple Dependent Claims			

SUBTOTAL (2) \$ 0.00**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 C.F.R. 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee from below</u>	<u>Fees paid (\$)</u>
<u>          </u> - 100 = <u>          </u> / 50 = <u>          </u> (round up to whole number)			X \$260.00	<u>          </u>

**Large Entity**      **Small Entity**

Fee	Fee	Fee	Fee	Fee Description: Application size fee for each additional group of 50 sheets beyond initial 100 sheets (count spec & drawings except sequences & program listings):
Code	(\$)	Code	(\$)	
1081	260	2081	130	Utility
1082	260	2082	130	Design
1083	260	2083	130	Plant
1084	260	2084	130	Reissue

SUBTOTAL (3) \$ 0.00

**FEE CALCULATION (continued)****4. OTHER FEE(S)**

				<b>Fees Paid (\$)</b>	
<b>Non-English Specification, \$130 fee (no small entity discount)</b>					
<b>Large Entity</b>		<b>Small Entity</b>			
<b>Fee</b>	<b>Fee</b>	<b>Fee</b>	<b>Fee</b>		
<b>Code</b>	<b>(\$)</b>	<b>Code</b>	<b>(\$)</b>	<b>Fee Description</b>	
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1813	8,800	1813	8,800	Request for inter parties reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	120	2251	60	Extension for reply within first month	
1252	460	2252	230	Extension for reply within second month	
1253	1,050	2253	525	Extension for reply within third month	
1254	1,640	2254	820	Extension for reply within fourth month	
1255	2,230	2255	1,115	Extension for reply within fifth month	
1401	510	2401	255	Notice of Appeal	
1402	510	2402	255	Filing a brief in support of an appeal	
1403	1,030	2403	515	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	510	2452	255	Petition to revive - unavoidable	
1453	1,540	2453	770	Petition to revive - unintentional	
1501	1,440	2501	720	Utility issue fee (or reissue)	
1502	820	2502	410	Design issue fee	
1503	1,130	2503	565	Plant issue fee	
1462	400	1462	400	Petitions to the Commissioner (CFR 1.17(f) Group I)	
1463	200	1463	200	Petitions to the Commissioner (CFR 1.17(g) Group II)	
1464	130	1464	130	Petitions to the Commissioner (CFR 1.17(h) Group III)	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	810	2809	405	For filing a submission after final rejection (see 37 CFR 1.129(a))	
1814	130	2814	65	Statutory Disclaimer	
1810	810	2810	405	For each additional invention to be examined (see 37 CFR 1.129(b))	
1801	810	2801	405	Request for Continued Examination (RCE)	<b>\$810.00</b>
1802	900	1802	900	Request for expedited examination of a design application	
1504	300	1504	300	Publication fee for early, voluntary, or normal pub.	
1505	300	1505	300	Publication fee for republication	
1803	130	1803	130	Request for voluntary publication or republication	
1808	130	1808	130	Processing fee under 37 CFR 1.17(i) (except provisionals)	
1454	1,410	1454	1,410	Acceptance of unintentionally delayed claim for priority	
Other fee (specify) <u>Printed Copy of patent w/o color (10 copies)</u>					
Other fee (specify) _____					
				<b>SUBTOTAL (4)</b>	<b>\$ 810.00</b>

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY:**Typed or Printed Name: Lester J. VincentSignature: Date: July 15, 2008Reg. Number: 31,460Telephone Number: 408-720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

**FEE TRANSMITTAL FOR FY 2008**

(Effective on 9/30/2007. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)

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Applicant claims small entity status. See 37 CFR 1.27.

**METHOD OF PAYMENT** (check all that apply)
☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify)
☒ Deposit AccountDeposit Account Number : 02-2666

Deposit Account Name: \_\_\_\_\_

☒ The Director is Authorized to do the following with respect to the above-identified Deposit Account:☒ Charge fee(s) indicated below.☒ Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.☐ Charge fee(s) indicated below except for the filing fee☒ Credit any overpayments.☒ Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

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<b>SUBTOTAL (1)</b>						<b>\$0.00</b>

**2. EXCESS CLAIM FEES****Fee Description****Large Entity      Small Entity****Fee      Fee      Fee      Fee****Code      (\$)      Code      (\$)      Fee Description**

1202      50      2202      25

Each claim over 20

1201      210      2201      105

Each independent claim over 3

1203      370      2203      185

Multiple dependent claims, if not paid

1204      210      2204      105

Reissue: each claim over 20 and more than in the original patent

1205      50      2205      25

Reissue: each independent claim more than in the original patent

**Extra Claims****Fee****Fees Paid (\$)****Total Claims**      33      - 36 or HP =      0

X      \$ 50.00      =      \$0.00

HP = highest number of total claims paid for, if greater than 20

**Independent Claims**      1      - 3 or HP =      0

X      \$210.00      =      \$0.00

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**Multiple Dependent Claims**

\_\_\_\_\_ = \_\_\_\_\_

**SUBTOTAL (2)      \$ 0.00****3. APPLICATION SIZE FEE**

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_____	- 100 = _____	/ 50 = _____ (round up to whole number)	X      \$260.00	_____

**Large Entity****Small Entity****Fee      Fee****Fee      Fee****Code      (\$)****Code      (\$)****Fee Description: Application size fee for each additional group of 50 sheets beyond initial 100 sheets (count spec & drawings except sequences & program listings):**

1081      260

2081      130

Utility

1082      260

2082      130

Design

1083      260

2083      130

Plant

1084      260

2084      130

Reissue

**SUBTOTAL (3)      \$ 0.00**

**FEE CALCULATION (continued)****4. OTHER FEE(S)**

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Non-English Specification, \$130 fee (no small entity discount)				
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Fee	Fee	Fee	Fee	
Code (\$)		Code (\$)		<u>Fee Description</u>
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1052 50		2052 25		Surcharge - late provisional filing fee or cover sheet
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1451 1,510		1451 1,510		Petition to institute a public use proceeding
1452 510		2452 255		Petition to revive - unavoidable
1453 1,540		2453 770		Petition to revive - unintentional
1501 1,440		2501 720		Utility issue fee (or reissue)
1502 820		2502 410		Design issue fee
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1802 900		1802 900		Request for expedited examination of a design application
1504 300		1504 300		Publication fee for early, voluntary, or normal pub.
1505 300		1505 300		Publication fee for republication
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1808 130		1808 130		Processing fee under 37 CFR 1.17(i) (except provisionals)
1454 1,410		1454 1,410		Acceptance of unintentionally delayed claim for priority
Other fee (specify) <u>Printed Copy of patent w/o color (10 copies)</u>				
Other fee (specify) _____				
<b>SUBTOTAL (4) \$ <u>810.00</u></b>				

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY:**Typed or Printed Name: Lester J. VincentSignature: Date: July 15, 2008Reg. Number: 31,460Telephone Number: 408-720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450